

I like to remind people that if we can get through the 150 years after the Civil War and end up where we were on January 1, 2001, we will get through this as well.

The last thing I would say is this: When we come back, there is plenty to do. One of the things we have to do is deal with our financial plan, our budget, and figure out what to do with respect to the debt ceiling. We will be coming back and holding the hearings that I described on the Affordable Care Act and trying to stabilize the exchanges. We will begin to figure out what we ought to do beyond stabilizing the exchanges and do it as Democrats and Republicans working together.

When we passed Social Security, Medicare, the Civil Rights Act, and the GI bill, those were not all Democratic ideas or all Republican ideas. Some of the best work we do is when we work together.

We will also have the opportunity to tackle our Tax Code. We have a tax code that, in some cases, discourages companies, especially larger companies, from staying in the United States and continuing to do business here and employing people here. In some cases, we encourage them to look for other places around the world in which to locate their businesses. We need to make sure we have a tax code that encourages innovation and that encourages companies to expand and grow here. My hope is that we can, especially on the Finance Committee, really focus on that and work with our colleagues, work with the House, and work with the administration.

I am a really optimistic person about most things, but the last time we did comprehensive tax reform in this country was in 1986. At that time, we had Republican President Reagan, who was for it. He had a great Treasury Secretary, Jim Baker, who was for it. Dan Rostenkowski, the chairman of the Ways and Means Committee in the House, was for it. Tip O'Neill, the Democratic Speaker of the House, was for it. We had Bob Packwood and Bill Bradley, a Democrat and a Republican—brilliant people on the Finance Committee. They were for it, and it still took 5 years to do it—really hard stuff.

We need to get serious about it, and we need to get going. My hope is that we will end up being revenue-neutral. We could use some revenues, but I hope it will be revenue-neutral. At the end of the day, I hope that what we do will answer these four questions: Is it fair? Does it foster economic growth? Does it make the Tax Code less complex or more complex? Finally, how does it affect our fiscal situation—our budget situation? My hope is that we can keep those questions in our minds as we formulate tax reform and answer them in an appropriate way.

I see my colleague here with whom I serve on the Finance Committee and on the Environment and Public Works Committee. He is waiting his turn, and I have talked long enough.

I will close where I started, with the words of the late Senator Philip Hart, of Michigan, who was admired by a lot of people here in this body before we came here. He said these words:

I leave as I arrived, understanding clearly the complexity of the world into which we were born and optimistic that if we give it our best shot, we will come close to achieving the goals set for us 200 years ago.

Boy, those words ring true today, don't they?

As we are about to leave, unlike our friend Philip Hart, who left the Senate, those who serve today in the Senate are going to come back in 4 weeks. My hope is that when we come back, we will come back determined to work together. That is what people want us to do. They want us to work together because, if we do, we will get a lot more things done.

My wife and I went to Africa and actually met up there with one of our sons and a friend of his two summers ago in August—2 years ago this August. I learned more about Africa in, actually, a week to 10 days than I had learned in all of my life. One of the things I learned was an African proverb that some of you already know. It goes something like this: If you want to go fast, travel alone. If you want to go far, travel together.

Think about that: If you want to go fast, travel alone. If you want to go far, travel together.

We have tried going it alone, and we have not gotten that far. My hope is that when we come back, we will travel together, and we will go a long, long way and make everyone proud of us.

I say again to my colleagues and the pages and our staffs, thank you for the good work that you have done. It is a pleasure serving with all of you.

I bid you adieu. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### BENEFIT ACT

Mr. WICKER. Mr. President, my esteemed colleague from Delaware says that we have plenty to do when we get back, and he is, certainly, correct. I would join many of my colleagues today, though, in pointing out that in the last 3 days, we have actually gotten substantial work done. Perhaps we have crammed into 3 days what using the regular order and the filibuster and the motions to proceed might have taken 3 weeks otherwise. So the leadership on both sides of the aisle are to be commended for this burst of progress we have made, and I hope we can continue that when we get back.

Earlier today, this Congress passed a significant piece of legislation offered by the Senator who occupies the Chair, my good friend, Senator JOHNSON of Wisconsin. It is the Right to Try Act, which seeks to streamline the way people who are willing to take a bit of a chance on a drug in order to save their lives—streamline the way they can

have access to perhaps life-enhancing and lifesaving drugs. It is a real achievement. I congratulate my colleague from Wisconsin and congratulate the leadership facilitating this breakthrough.

Moments later, the Senate passed a companion bill authored by Senator KLOBUCHAR and me known as the Better Empowerment Now to Enhance Framework and Improve Treatments Act or the BENEFIT Act. This is another win for patients—patients who deserve to have a voice in the drug approval process. This bill, which is a companion bill to the very important Right to Try Act, will do that.

The BENEFIT Act calls for a simple amendment to the Food, Drug, and Cosmetic Act—one that could make a big difference to patients whose lives may depend on a new therapy or drug. Specifically, the Wicker-Klobuchar bill would require the use of patient experience and patient-focused drug development and related data in assessing the risk versus the benefit of these particular therapies.

The bill also includes information from patient advocacy groups and academic institutions. This is a small but important step forward.

If signed into law—and I certainly hope the House passes it and I hope the President will sign it into law—this bill would greatly enhance the data and information available to FDA when reviewing drugs, when reviewing medical products, and when reviewing therapies. It would also add to the progress Congress has made in recent years, reaffirming the importance of patients' perspectives in drug decisions—decisions that can have a profound and lasting impact on the lives of these patients. Ask any American who suffers from a disease or who is watching a loved one suffer, and they will tell us that all information should be on the table when a breakthrough or a cure is at stake.

Last year, Senator KLOBUCHAR and I joined together to make the FDA's use of patient perspectives more transparent with what we call the Patient-Focused Impact Assessment Act. This was passed and was signed into law as part of the 21st Century Cures Act.

The BENEFIT Act, passed by the Senate today, would keep that momentum going, building on the progress we have made.

Now, what progress have we made? Let me tell my colleagues this. For years, I have sought to find a cure for the devastating, fatal disease known as Duchenne muscular dystrophy. I have worked on this issue since my early years in the House of Representatives. Young boys—almost all males—is whom this affects. These young boys face this fatal disease, and they know better than anyone what a drug can do to improve the quality of their lives.

Since the Congress passed and the President signed the MD-CARE Act dealing with Duchenne muscular dystrophy more than 15 years ago, research has led to innovative therapies

that have added a decade to the lives of these young boys. What an achievement by scientists in America. What an achievement for the government to have unleashed cures and research in this area.

We need their voices heard, we need their stories heard, and we need the voices of patients with other diseases heard.

I thank my colleagues in the Senate for joining with us on a unanimous consent request to pass this legislation. I thank the leadership on this side of the aisle and our Democratic counterparts on the other side.

Particular appreciation goes to Senator ALEXANDER, the chairman of the HELP Committee, and to Senator MURRAY, the ranking Democrat on the HELP Committee, for their valuable help. Appreciation goes to perhaps a new attitude for the rest of the year in the Senate to join together with unanimous consent and move bills and nominations forward that have widespread support and consensus around the country.

I congratulate the Presiding Officer, the Senator from Wisconsin, on an outstanding achievement, and I congratulate the Senate for joining with Senator KLOBUCHAR and me to help out in another way.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING OPPORTUNITIES FOR BROADBAND INVESTMENT AND LIMITING EXCESSIVE AND NEEDLESS OBSTACLES TO WIRELESS ACT

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 17, S. 19.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 19) to provide opportunities for broadband investment, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act” or the “MOBILE NOW Act”.

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Making 500 megahertz available.
- Sec. 4. Millimeter wave spectrum.
- Sec. 5. 3 gigahertz spectrum.
- Sec. 6. Communications facilities deployment on Federal property.
- Sec. 7. Broadband infrastructure deployment.
- Sec. 8. National broadband facilities asset database.
- Sec. 9. Reallocation incentives.
- Sec. 10. Bidirectional sharing study.
- Sec. 11. Unlicensed services in guard bands.
- Sec. 12. Pre-auction funding.
- Sec. 13. Immediate transfer of funds.
- Sec. 14. Amendments to the Spectrum Pipeline Act of 2015.
- Sec. 15. GAO assessment of unlicensed spectrum and Wi-Fi use in low-income neighborhoods.
- Sec. 16. Rulemaking related to partitioning or disaggregating licenses.
- Sec. 17. Unlicensed spectrum policy.
- Sec. 18. National plan for unlicensed spectrum.
- Sec. 19. Spectrum challenge prize.
- Sec. 20. Wireless telecommunications tax and fee collection fairness.
- Sec. 21. Rules of construction.
- Sec. 22. Relationship to Middle Class Tax Relief and Job Creation Act of 2012.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) *APPROPRIATE COMMITTEES OF CONGRESS.*—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) each committee of the Senate or of the House of Representatives with jurisdiction over a Federal entity affected by the applicable section in which the term appears.

(2) *COMMISSION.*—The term “Commission” means the Federal Communications Commission.

(3) *FEDERAL ENTITY.*—The term “Federal entity” has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(4) *NTIA.*—The term “NTIA” means the National Telecommunications and Information Administration of the Department of Commerce.

(5) *OMB.*—The term “OMB” means the Office of Management and Budget.

(6) *SECRETARY.*—The term “Secretary” means the Secretary of Commerce.

#### SEC. 3. MAKING 500 MEGAHERTZ AVAILABLE.

(a) *REQUIREMENTS.*—

(1) *IN GENERAL.*—Consistent with the Presidential Memorandum of June 28, 2010, entitled “Unleashing the Wireless Broadband Revolution” and establishing a goal of making a total of 500 megahertz of Federal and non-Federal spectrum available on a licensed or unlicensed basis for wireless broadband use by 2020, not later than December 31, 2020, the Secretary, working through the NTIA, and the Commission shall make available a total of at least 255 megahertz of Federal and non-Federal spectrum below the frequency of 6000 megahertz for mobile and fixed wireless broadband use.

(2) *UNLICENSED AND LICENSED USE.*—Of the spectrum made available under paragraph (1), not less than—

(A) 100 megahertz shall be made available on an unlicensed basis; and

(B) 100 megahertz shall be made available on an exclusive, licensed basis for commercial mobile use, pursuant to the Commission’s authority to implement such licensing in a flexible manner, and subject to potential continued use of such spectrum by incumbent Federal entities in designated geographic areas indefinitely or for such length of time stipulated in transition plans approved by the Technical Panel under section 113(h) of the National Telecommuni-

cations and Information Administration Organization Act (47 U.S.C. 923(h)) for those incumbent entities to be relocated to alternate spectrum.

(3) *NON-ELIGIBLE SPECTRUM.*—For purposes of satisfying the requirement under paragraph (1), the following spectrum shall not be counted:

(A) The frequencies between 1695 and 1710 megahertz.

(B) The frequencies between 1755 and 1780 megahertz.

(C) The frequencies between 2155 and 2180 megahertz.

(D) The frequencies between 3550 and 3700 megahertz.

(E) Spectrum that the Commission determines had more than de minimis mobile or fixed wireless broadband operations within the band on the day before the date of enactment of this Act.

(4) *RELOCATION PRIORITIZED OVER SHARING.*—This section shall be carried out in accordance with section 113(j) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)).

(5) *CONSIDERATIONS.*—In making spectrum available under this section, the Secretary and Commission shall consider—

(A) the need to preserve critical existing and planned Federal Government capabilities;

(B) the impact on existing State, local, and tribal government capabilities;

(C) the international implications;

(D) the need for appropriate enforcement mechanisms and authorities; and

(E) the importance of the deployment of wireless broadband services in rural areas of the United States.

(b) *RULES OF CONSTRUCTION.*—Nothing in this section shall be construed—

(1) to impair or otherwise affect the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals;

(2) to require the disclosure of classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security; or

(3) to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000, or any other relevant statutory requirement applicable to the reallocation of Federal spectrum.

#### SEC. 4. MILLIMETER WAVE SPECTRUM.

(a) *FEASIBILITY ASSESSMENT.*—Not later than 18 months after the date of enactment of this Act, the NTIA, in consultation with the Commission, shall conduct a feasibility assessment regarding the impact, on Federal entities and operations in any of the following bands, of authorizing mobile or fixed terrestrial wireless operations, including for advanced mobile service operations, in the following bands:

(1) The band between 31800 and 33400 megahertz.

(2) The band between 71000 and 76000 megahertz.

(3) The band between 81000 and 86000 megahertz.

(b) *REQUIREMENTS.*—In conducting the feasibility assessment under subsection (a), the NTIA shall—

(1) consult directly with Federal entities with respect to frequencies allocated to Federal use by such entities in the bands identified in that subsection;

(2) consider what, if any, impact authorizing mobile or fixed terrestrial wireless operations, including advanced mobile services operations, in any of such frequencies would have on an affected Federal entity; and

(3) identify any such frequencies in the bands described in that subsection that the NTIA assessment determines are feasible for authorizing for mobile or fixed terrestrial wireless operations, including any advanced mobile service operations.